



General Assembly

***Amendment***

***January Session, 2019***

**LCO No. 8769**



Offered by:

REP. ABERCROMBIE, 83<sup>rd</sup> Dist.

SEN. MOORE, 22<sup>nd</sup> Dist.

REP. CASE, 63<sup>rd</sup> Dist.

To: Subst. House Bill No. **7165**

File No. 423

Cal. No. 275

***"AN ACT CONCERNING MEDICAID COVERAGE FOR DONOR BREAST MILK."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2019*) (a) The Commissioner of  
4 Social Services, to the extent permissible under federal law, shall  
5 provide Medicaid coverage for medically necessary pasteurized donor  
6 breast milk provided: (1) A physician, physician's assistant or  
7 advanced practice registered nurse licensed pursuant to chapter 370 or  
8 378 of the general statutes signs an order stating that such milk is  
9 medically necessary for an infant Medicaid beneficiary in accordance  
10 with section 17b-259b of the general statutes; and (2) (A) the infant is  
11 medically or physically unable to receive maternal breast milk or  
12 participate in breast feeding, or (B) the infant's mother is medically or  
13 physically unable to produce maternal breast milk in sufficient  
14 quantities.

15 (b) The commissioner shall adopt or amend regulations to  
16 implement the provisions of this section, including, but not limited to,  
17 establishing infant birth weight and health conditions that may make  
18 the provision of pasteurized donor breast milk medically necessary  
19 and time limits for Medicaid coverage of pasteurized donor breast  
20 milk. The commissioner may adopt a policy or procedure to  
21 implement the provisions of this section while in the process of  
22 adopting regulations, provided such policy or procedure is posted on  
23 the Internet web site of the Department of Social Services and on the  
24 eRegulations System prior to adoption of the policy.

25 (c) The commissioner, if necessary, shall seek federal approval for a  
26 Medicaid waiver or state plan amendment to implement the  
27 provisions of this section in accordance with the provisions of section  
28 17b-8 of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	New section